

SUCV2003-05679

## Massachusetts Development Finance Agency v ADP Marshall, Inc et al

File Date	12/02/2003	Status	Disposed: transferred to other court (dtrans)	5 D 12/30
Status Date	01/28/2004	Session	G - Civil G	12/30
Origin	1	Case Type	E09 - General contractor surety (149.029)	12/30
Lead Case		Track	A	

Service	03/01/2004	Answer	04/30/2004	Rule 12/19/20	04/30/2004
Rule 15	02/24/2005	Discovery	01/20/2006	Rule 56	03/21/2006
Final PTC	07/19/2006	Disposition	12/01/2006	Jury Trial	Yes

## PARTIES

Plaintiff Massachusetts Development Finance Agency Active 12/02/2003	Private Counsel 547714 Charles A Plunkett 1 Bowdoin Square 9th Floor Boston, MA 02114 Phone: 617-263-1313 Active 12/02/2003 Notify
Defendant ADP Marshall, Inc Served: 01/02/2004 Answered: 01/26/2004 Answered 01/26/2004	Private Counsel 633639 Andrew J Tine Haese Law Office 70 Franklin Street 9th floor Boston, MA 02110 Phone: 617-428-0266 Fax: 617-428-0276 Active 01/28/2004 Notify
Defendant Fluor Daniel Company Service pending 12/02/2003	
Defendant Fireman's Fund Insurance Company Served: 12/29/2003 Answered: 01/26/2004 Answered 01/26/2004	Private Counsel 633639 Andrew J Tine Haese Law Office 70 Franklin Street 9th floor Boston, MA 02110 Phone: 617-428-0266 Fax: 617-428-0276 Active 01/30/2004 Notify

Date	Paper	Text
12/02/2003	1.0	Complaint filed with request for trial by jury

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## Massachusetts Development Finance Agency v ADP Marshall, Inc et al

Date	Paper	Text
12/02/2003		Origin 1, Type E09, Track A.
12/02/2003	2.0	Civil action cover sheet filed
01/02/2004	3.0	SERVICE RETURNED: Fireman's Fund Insurance Company(Defendant) (First class postage on 12/29/03)
01/02/2004	4.0	SERVICE RETURNED: ADP Marshall, Inc(Defendant) (certified mail on 12/29/03)
01/13/2004	5.0	Defendant ADP Marshall, Inc's MOTION for an extension of time to file responsive pleading , assented to by Massachusetts Development Finance Agency
01/20/2004		MOTION (P#5) ALLOWED (Diane M. Kottmyer, Justice) Notices mailed January 16, 2004 (entered 1/15/04)
01/26/2004	6.0	ANSWER, COUNTERCLAIM : ADP Marshall, Inc(Defendant)
01/26/2004	7.0	ANSWER: Fireman's Fund Insurance Company(Defendant)
01/28/2004		Certified copy of petition for removal to U. S. Dist.Court of Deft. ADP Marshall, Inc U. S. Dist.#(04-CV-10203PBS).
01/28/2004		Case REMOVED this date to US District Court of Massachusetts

. HEREBY ATTEST AND CERTIFY ON

JAN. 30, 2004, THAT THE

FOREGOING DOCUMENT IS A FULL,  
TRUE AND CORRECT COPY OF THE  
ORIGINAL ON FILE IN MY OFFICE,  
AND IN MY LEGAL CUSTODY.MICHAEL JOSEPH DONOVAN  
CLERK / MAGISTRATE  
SUFFOLK SUPERIOR CIVIL COURT  
DEPARTMENT OF THE TRIAL COURT

ASSISTANT CLERK

*Suffolk Superior Civil # 03-5679G*

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

MASSACHUSETTS DEVELOPMENT )  
FINANCE AGENCY, )  
Plaintiff, )  
v. )  
ADP MARSHALL, INC., A FLUOR )  
DANIEL COMPANY, AND FIREMAN'S )  
FUND INSURANCE COMPANY, )  
Defendants. )

U.S. DIST # 3b  
04-CV-10203 PBS  
C.A. No. 03-5679G

**NOTICE FOR REMOVAL**

Pursuant to 28 U.S.C §1446, Defendant ADP Marshall, Inc. ("ADP"), hereby gives notice of its removal of this case presently pending in the Superior Court for the Commonwealth of Massachusetts, Suffolk County, C.A. No. 03-5679G (the "State Court Action") to the United States District Court for the District of Massachusetts.

Removal is authorized by 28 U.S.C. §1441 based upon this Court's original jurisdiction over this matter pursuant to 28 U.S.C. §1332, since there is complete diversity of citizenship and the amount in controversy, exclusive of costs and interest, exceeds \$75,000. In support of this Notice, ADP avers the following:

1. This case was initiated on or about December 2, 2003, through the filing of a Complaint which did not allege any specific amount in controversy. See Complaint (attached hereto as "Exhibit A").